THE
PAY EQUITY
COMMISSION

150 Eglinton Avenue East
5th Floor
Toronto, Ontario
M4P 1E8

Ce document est également disponible en français.

07/93/10,000
ISBN: 0-7778-1536-2

What are your responsibilities?

The *Act* requires that you, as a proxy employer, provide the following within 60 days of receiving the seeking organization's request:

- information on the duties and responsibilities of each of your female job classes that are similar to the seeking organization's key female job classes;
- the job rates that would be required for these female job classes to achieve pay equity as of January 1, 1994; and
- the total cost of benefits for all your employees expressed as a percentage of the total amount of all wages and salaries paid to them.

What happens if there is no female job class in the proxy organization whose duties and responsibilities are similar to the key female job class in the seeking organization?

In this case, the *Act* requires that you select and provide the same information for a *group* of female job classes that are representative of your organization's range of pay equity job rates.

For instance, if the job rates required for your female job classes to achieve pay equity (as of January 1, 1994) range from $12.00 per hour to $24.00 per hour, you will provide information about female job classes scattered throughout that pay range, not those clustered in one part.

If the seeking employer's key female job classes are in a bargaining unit, you must select this representative group of female job classes from a bargaining unit in your establishment, unless the seeking employer and its bargaining agent agree otherwise.

What about confidentiality?

The *Act* is clear. It is an offence for employers, employees, or bargaining agents requesting your job information to use that information for any purpose other than pay equity.

Is there any further contact after you provide this information?

No, once you have provided the required job information, there is no further contact or link between you and the seeking organization for pay equity purposes.

Who can I call for more information about proxy?

For information about the law or proxy comparison method, please contact the Pay Equity Commission's Hotline in Toronto at 481-3314, or toll-free 1-800-387-8813.

Please direct any questions about the specific requirements of the seeking organization to that organization.

VF (PEC)
Brochures, pamphlets, etc.

Your Rights and Obligations As a Proxy Employer

THE
PAY EQUITY
COMMISSION

Ontario

Your Rights and Obligations As a Proxy Employer

Introduction

The Ontario Government has recently passed amendments to the *Pay Equity Act* that affect you as a broader public sector employer. Some of these changes relate to the introduction of the proxy method of job comparison.

This process designates hospitals, municipalities and school boards as potential proxy organizations. The following describes the proxy method, as well as your rights and responsibilities as a proxy employer.

What is proxy?

The proxy approach was introduced to supplement the original method of job–to–job comparison and another new method called proportional value comparison. The job–to–job and proportional value methods are used to achieve pay equity by making comparisons between male and female job classes within the same organization. These two methods, however, cannot be used in organizations that have too few male jobs for comparison purposes. Hence the need for the proxy comparison method which allows for comparisons with job classes outside the organization. This approach applies only to broader public sector organizations.

The law requires that broader public sector employers who cannot achieve pay equity through either job–to–job or proportional value comparisons notify the Pay Equity Commission.

How does proxy work?

The proxy comparison method requires a broader public sector organization to make pay equity comparisons by using job information from another broader public sector organization that offers similar services. The organization providing this information is called the proxy organization.

When the proxy organization identifies similar female job classes in its pay equity plan, the seeking employer uses these female proxy comparators to determine an appropriate job rate for its own female job classes.

How are proxy employers selected?

The organization seeking pay equity comparisons has selected your organization from a list of proxy employer groups identified in a Schedule attached to the amended *Pay Equity Act*. This Schedule identifies hospitals, municipalities and school boards in Ontario as potential proxy employers.

Are you required to participate as a proxy employer?

Yes. Subsection 21.17 (2) of the *Act* requires that you assist the seeking organization in implementing proxy comparisons by providing information about some of your female job classes.

What are the obligations of the organization seeking the job information?

The organization seeking job information must provide you with:

- a written request that must be signed by the employer, or partner.

  If the seeking organization is a corporation, the request must be accompanied by a certified copy of the board of directors' resolution approving the request.

  If female job classes seeking pay equity are in a bargaining unit, the request must be signed by the bargaining agent. Where the employer and bargaining agent have agreed that the job classes can be compared to those outside a bargaining unit in the proxy organization, the request must also indicate this agreement.
- a copy of the order to use proxy comparisons issued by a review officer at the Pay Equity Commission;
- information detailing the duties and responsibilities of the seeking employer's key female job classes to be compared using the proxy method; and
- an organization chart showing the reporting relationships for all job classes of the seeking employer.